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REMARKS

In the above-noted Final Official Action, claims 1-3, 7-9, 13-18, 22-24 and 28-37 were rejected under 35 U.S.C. §103(a) over ENDOH et al. (U.S. Patent No. 5,819,103) in view of PLUNK (U.S. Patent No. 5,259,037). Claims 4-6 and 19-21 were rejected under 35 U.S.C. §103(a) over ENDOH in view of PLUNK, and further in view of KAPLOW et al. (U.S. Patent No. 4,202,041). Claims 10-12 and 25-27 were rejected under 35 U.S.C. §103(a) over ENDOH in view of PLUNK, and further in view of MAHONEY et al. (U.S. Patent No. 5,659,639).

Furthermore, following the submission of a Response Under 37 C.F.R. §1.116, an Advisory Action was issued in which the above-noted rejections were maintained. In view of the herein-contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of the above-noted rejections, as well as an indication of the allowability of all the claims pending in the present application.

For all the reasons set forth in the above-noted Response Under 37 C.F.R. §1.116, Applicant traverses the rejection of claims 1-3, 7-9, 13-18, 22-24 and 28-37 under 35 U.S.C. §103(a) over ENDOH in view of PLUNK. In particular, Applicant respectfully submits that the outstanding Final Official Action did not satisfy the requirements for an obviousness rejection as previously set forth by the Court of Appeals for the Federal Circuit. Additionally, Applicant asserts that even the combination of ENDOH and

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PLUNK did not disclose the invention previously recited in, e.g., claims 1, 13 and 32-37.

In order to advance the prosecution of the present application and obtain early allowance of the pending claims, Applicant has revised the recitations of claims 1, 13, 32 and 33 to better define the features related to the production of a survey map. Applicant is also amending claims 1, 13, 32 and 33 to recite features similar to features previously recited in claims 34-37 (which have now been cancelled). Accordingly, Applicant respectfully asserts that the amendments to claims 1, 13, 32 and 33 do not present "new issues" for consideration by the Examiner. Accordingly, Applicant respectfully submits that entry of the present amendments, consideration of the amended claims, and an indication of the allowability of each of the independent claims now pending, is proper.

Applicant had previously argued that the combination of references applied by the Examiner did not disclose or suggest the features recited in claims 34-37. In response, in the above-noted Advisory Action, the Examiner noted that 'applicant alleges Endoh does not disclose any two photographs featuring the same "photographed target". In reply, examiner notes the argued limitation is not the claimed limitation'.

Applicant respectfully submits that the above-noted assertion is wholly in error. In this regard, claim 34 recited "a first set having pictures featuring a photographed target located at a first target position and a second set having pictures featuring the photographed target located at a second target position". Accordingly, Applicant submits

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that a set of "pictures" having a "photographed target" at a single "target position" were previously the subject matter of claim 34. Furthermore, claims 35-37 recited features similar to claims 34.

Moreover, the above-noted features of claims 34-37 are not disclosed or suggested by the combination of references applied by the Examiner, whether considered singly or in combination. Accordingly, Applicant respectfully asserts that the above-noted assertion in the Advisory Action is wholly without merit. Accordingly, at least because claims 1, 13, 32 and 33 now recite features similar to those previously recited in claims 34-37, as well as for the additional reasons set forth in the earlier Response Under 37 C.F.R. §1.116, Applicant respectfully submits that each of claims 1, 13, 32 and 33 is allowable over the prior art of record.

Applicant further submits that claims 2-12 and 14-31 are allowable at least because each depends, directly or indirectly, from an allowable independent claim, as well as for additional reasons related to their own recitations. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejection of claims 1-3, 7-9, 13-18, 22-24 and 28-37 under 35 U.S.C. §103(a) over EHDOH in view of PLUNK. Applicant also respectfully requests reconsideration and withdrawal of the outstanding rejection of claims 4-6, 10-12, 19-21 and 25-27 under 35 U.S.C. §103(a) over ENDOH in view of PLUNK, and further, in view of KAPLOW et al. Additionally, Applicant

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respectfully requests reconsideration and withdrawal of the outstanding rejection of claims 10-12 and 25-27 under 35 U.S.C. §103(a) over ENDOH in view of PLUNK, and further in view of MAHONEY.

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SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has discussed the features recited in Applicant's claims and has shown how these features are not taught, disclosed nor rendered obvious by the references applied by the Examiner.

Should there be any questions, the Examiner is invited to contact the undersigned at the below-listed number.

Respectfully submitted,  
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